

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

DEBORAH LAUFER, Individually	)	
	)	
Plaintiff,	)	Case No. 3:20-cv-30086
	)	
– vs –	)	
	)	
BERKSHIRE RESPORTS, LLC	)	
	)	
Defendant.	)	

**PLAINTIFFS' MOTION TO STRIKE**

Now come the Plaintiff, in the above-captioned action and hereby move pursuant to the Federal Rules of Civil Procedure Rule 12(f) to strike Defendant's "Response" to the Complaint. In support thereof, Plaintiff state as follows:

Defendant, a corporation, filed a *pro se* response to the Complaint. It is well settled that under Massachusetts law, except in small claims matters, a corporation may not be represented in judicial proceedings by a corporate officer who is not an attorney licensed to practice law in the Commonwealth.. Varney Enterprises, Inc. v. WMF, Inc., 402 Mass. 79 (1988).

Rule 12(f) provides in relevant part that on motion, "[t]he court may strike from a pleading . . . any redundant, immaterial, impertinent, or scandalous matter." As such, Plaintiff respectfully requests this Honorable Court to Strike Defendant's response to the Complaint

Date: January 3, 2021

Respectfully submitted,  
Plaintiff,



\_\_\_\_\_  
Daniel G. Ruggiero, Esq.  
275 Grove Street, Suite 2-400  
Newton, MA 02466  
druggieroesq@gmail.com  
(339) 237-0343 (phone)

**CERTIFICATE OF SERVICE**

I, hereby certify that on January 3, 2021, served through the electronic filing system a true copy of the following document:

***Motion to Strike***

Upon:

Berkshires Resorts, LLC  
2541 Hancock Road  
Williamstown, MA 01267

Respectfully Submitted,



By: \_\_\_\_\_  
Daniel Goldsmith Ruggiero